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Evergreen Development Policy

**City of San Jose
Working Draft
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I. BACKGROUND

PURPOSE OF ORIGINAL EVERGREEN DEVELOPMENT POLICY

The original *Evergreen Development Policy* (EDP) was adopted in August 1976 to address the issues of flood protection and traffic capacity in the Evergreen area. The EDP was based on City analyses, which concluded that transportation and flood protection deficiencies constituted substantial constraints to development in Evergreen. The 1976 EDP established the policy framework for dealing with the buildout of Evergreen as identified by the General Plan at that time, and identified specific programs for correcting the service deficiencies. Since the adoption of the EDP, growth in the Evergreen area has been limited by the availability of urban services, particularly the capacity of the transportation and flood control systems. In particular, the EDP has limited the construction of new residential units so that a traffic Level of Service “D” has been maintained at key boundary (screenline) intersections.

SUMMARY OF PREVIOUS UPDATES

Under the original EDP, the screenline intersections reached their maximum traffic capacity in 1989, effectively preventing additional residential development. At that point however there was potential for the construction of almost four thousand new units based on existing General Plan land use designations. Of these potential units, 3,000 were within a sub-area of the EDP, the *Evergreen Planned Residential Community* (EPRC).

In 1990, the City Council initiated the *Evergreen Specific Plan* (ESP) for the EPRC to create a unique suburban area with a mix of lot sizes, housing types, some retail, parks, schools, and other amenities. The ESP was the catalyst to revise the EDP, and through that effort, the City was able to identify additional traffic mitigation to allow for construction of the new units. Traffic analysis performed in conjunction with the preparation of the *Evergreen Specific Plan* (ESP) quantified the amount of traffic capacity required to allow full development of the remaining vacant lands in Evergreen, and identified potential street improvements which could provide the required capacity while maintaining LOS “D” at the screenline intersections. In 1991, the City Council approved the ESP and revised the *Evergreen Development Policy* to be consistent with the Evergreen Specific Plan.

The *Evergreen Development Policy* was again revised in 1995 to provide the policy framework for the buildout of Evergreen based on the General Plan at that time.

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Maintaining the basic traffic LOS “D” and hundred-year flood projection standards of the original 1976 and 1991 Revised EDP were preserved as prerequisites to project approvals. The 1995 Revised EDP identified the remaining watersheds and street system improvements required to allow 4,759 dwelling units to proceed. A Benefit Assessment District (No. 91-209SJ Aborn-Murillo) was formed to provide a cost-sharing plan to finance and construct the extensive infrastructure network enhancements necessary to facilitate the planned and potential dwelling units identified by the San José 2020 General Plan and the *Evergreen Specific Plan*. In 1998 the Benefit Assessment District was augmented and updated through the formation of Community Facilities District No. 4 as a result of changes to the laws governing special districts. The Assessment District remains in effect along with the Community Facilities District.

A minor modification was made to the EDP Ordinance in August, 1998 to refine the traffic analysis methodology in order to facilitate small-scale, non-residential development policies. Following this modification, transportation methodology was no longer based upon screenlines.

POLICY AREA BOUNDARIES

The updated *Policy* area boundaries match the original boundaries of the *Evergreen Development Policy*, defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and north of the intersection of U.S. Highway 101 and Hellyer Avenue (see Figure ____).

The Policy area overlaps with portions of the East Valley/680 Communities, K.O.N.A. and West Evergreen Strong Neighborhood Initiative (SNI) planning areas and fully incorporates the Evergreen Specific Plan area and the Silver Creek Planned Residential Community. Portions of the Policy area are also designated as Redevelopment Project Areas.

II. PURPOSE AND GOALS

The primary purpose of the *Evergreen Development Policy* is to provide a comprehensive policy framework for new development within the Evergreen area. The EDP land use strategy was developed through a community based, consensus process and is intended to promote the long-term vitality of land uses within Evergreen. The EDP links together new development with the provision of new infrastructure and amenities.

The *Evergreen Development Policy*, consistent with the provisions of General Plan Level of Service Policy #5, provides alternative standards for determining conformance with the City's Level of Service policy for transportation facilities. The primary reason for adopting an Area Development Policy is to manage the traffic congestion associated with near term development in the Evergreen area and simultaneously promote development consistent with the General Plan goals and neighborhood visions. This *Area Development Policy* allows continued development of the Evergreen area while balancing the community's needs for amenities and transportation mobility. In exchange for an exceeded LOS standard, the Policy provides a mechanism to construct transportation system improvements and desired neighborhood amenities funded by private development beyond the City's typical scope for such improvements.

The *Evergreen Development Policy* is a companion document to the *Evergreen • East Hills Vision Strategy* (EEHVS). The EDP serves as the guiding policy document for new residential development tied to specific transportation and amenity improvements. The EDP establishes specific traffic Level of Service (LOS) standards for the Evergreen area and identifies development capacity for a specific amount of new residential, commercial and other development types. The EDP also links the timing of the construction of specific transportation improvements and community amenities with new housing development.

The EEHVS includes a more extensive description of the community-based planning process that led to the development of the EDP, sets forth Guiding Principles for new development and establishes general land use and architectural design guidelines for the Evergreen area. The Strategy acts as a more substantive long-term guide for all new development within the Evergreen area.

The preparation of the EDP was enabled through the voluntary participation of several key property owners who were willing to pool resources to fund infrastructure and amenity improvements beyond the scale of what could be built through the standard City development entitlement process. The EDP builds upon several prior planning efforts, including the work of the Evergreen Visioning Project, the Strong Neighborhood

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Initiative program and the Knight Program in Community Building Evergreen-Eastridge area charrette. Infrastructure and amenity improvements included as part of this Policy were identified through these efforts and drawn directly from the adopted SNI *Improvement Plans*, the City's adopted *Greenprint* and the products of the EVP and charrette.

The goals of the EDP are to:

- Support the community-based vision to guide future development in Evergreen, including a clear concept of the future character of the area.
- Provide development capacity for specific amounts of new residential, commercial and other land uses.
- Identify and establish a mechanism to fund the transportation improvements needed to support this new development capacity.
- Identify and fund community amenities consistent with the vision of the EEHVS.

All new development within the Evergreen area should be consistent with the Guiding Principles incorporated into the *Evergreen • East Hills Vision Strategy* (EEHVS) and the desired Outcomes endorsed by the City Council in June of 2005. The EEHVS states that all new development in Evergreen should be sustainable, of high quality, and improve the overall livability of the area. New residential development should create housing opportunities for a wide range of household types and income levels. Infrastructure and services should support the planned levels of residential and non-residential development. New development in transit corridors should incorporate transit-oriented development concepts, and all development should support vibrant land uses linked by various transportation modes and community amenities.

The EDP is also consistent with the City's General Plan, specifically supporting the General Plan goals of protecting the City's Urban Growth Boundary/Greenline through the promotion of infill development.

III. LAND USE

GENERAL CONCEPTS

The Evergreen Development Policy Land Use Policies are intended to:

- Guide development to appropriate locations within the Evergreen area.
- Provide appropriate flexibility for new development capacity.
- Protect the Urban Growth Boundary and natural resources.
- Facilitate infill development within the Growth Boundary.
- Promote transit-oriented development along the Capitol Corridor to support the Capitol Light Rail expansion.
- Support alternative modes of transportation
- Promote a diversity of housing options within neighborhoods.

DEVELOPMENT CAPACITY

This Policy establishes a specific amount of development capacity for the Policy area. All new development entitlements for properties located within the Policy area boundaries must be consistent with these provisions.

Existing Development Capacity

All properties with established development capacity in the form of existing construction onsite, existing entitlements, allocation of development capacity under the previous policy or assigned trips in the City's Approved Trips Inventory (ATI) retain the rights to that development capacity in terms of the associated traffic generation (trips). Existing trip allocations for a property will be credited for any development or redevelopment of that property, including proposed changes in use (e.g. existing commercial or industrial trips can be credited to a new residential project that displaces the commercial or industrial use.) Development beyond the existing trip allocation will require new allocation as provided in the following provisions of this Policy.

Major Opportunity Sites

Specific amounts of new development capacity are reserved for four sub-areas located within the Policy area. These four sub-areas, referred to as "Major Opportunity Sites" represent the largest, most readily identifiable sites available for new development or redevelopment within Evergreen and as such warrant unique treatment. The four Major Opportunity Sites are the "Arcadia Property", the Pleasant Hills Golf Course, the "Campus Industrial" site and the western portion of the Evergreen Valley Community College campus.

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Arcadia Property

The Arcadia Property is an 81-acre site located just south of Eastridge Mall. It is bounded by Quimby Road to the north, Capitol Expressway to the east, Leyva Middle School and Meadowfair Park to the south, and single-family residences to the west.

This Policy allows for the development of up to ____ residential units on this site. Of these, a maximum of ____ may be multi-family attached, and a maximum of ____ may be single-family detached (townhouse) units. This Policy also allows for the development of up to ____ square feet of commercial square footage on the Arcadia Property.

Pleasant Hills Golf Course

The 114-acre Pleasant Hills Golf Course is a privately-owned facility located east of Lake Cunningham Park. It is bounded by White Road to the west, Tully Road to the south, Vista Verde Drive to the east, and single-family residences to the north. The site has a General Plan land use designation of Private Recreation, and is unincorporated. Development of the parcel for any use other than private recreation requires annexation and a General Plan Amendment.

This Policy allows for the development of up to ____ residential units on this site. Of these, a maximum of ____ may be multi-family attached, and a maximum of ____ may be single-family detached (large lot, small lot, or townhouse) units. This Policy also allows for the development of up to ____ square feet of commercial square footage on the Pleasant Hills Golf Course.

Campus Industrial

This 320-acre site is comprised of 16 parcels located in the eastern foothills on the easterly side of Yerba Buena Road adjacent to the *Evergreen Specific Plan Area*. It is bounded by the Urban Growth Boundary to the east, a campus industrial park (Hitachi Headquarters) and a riparian corridor to the south, and by parks and single-family residences to the north and west.

This Policy allows for the development of up to ____ residential units on this site. Of these, a maximum of ____ may be multi-family attached, and a maximum of ____ may be single-family detached (large lot, small lot, or townhouse) units. .

Evergreen Valley Community College

The Evergreen Valley Community College Opportunity Site is a 27-acre portion of the Evergreen Valley Community College campus located at the northeast corner of Yerba Buena Road and San Felipe Road. The Opportunity Site is bounded by Evergreen Creek to the north, the College campus to the east, Yerba Buena Road to the south and San Felipe Road to the east except the site borders an existing commercial

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development located immediately adjacent to the intersection of Yerba Buena and San Felipe Roads.

This Policy allows for the development of up to ____ residential units on this site. Of these, a maximum of ____ may be multi-family attached, and a maximum of ____ may be single-family attached (townhouse) units. This Policy also allows for the development of up to ____ square feet of commercial square footage on the Evergreen Valley Community College Opportunity Site.

New Residential Development Unit Pool

This Policy establishes capacity for the development of up to ____ residential units within the Policy area in addition to the capacity allocated to the four specific properties referred to as “Major Opportunity Sites”. This capacity is held in a pool that may be allocated to any other property per the allocation criteria set forth in this policy. Any type of residential development, including single-family and multi-family residential projects can be allocated units out of this pool. The total amount of residential development allowed under this Policy is the total of this pool and the amount of development specified above for the four Opportunity Sites. This Policy does not allow for any additional residential development beyond these specific amounts.

New Commercial Development Square Footage Pool

This Policy establishes capacity for the development of ____ square feet of new commercial development within the Policy area in addition to the capacity allocated to the four specific properties referred to as “Major Opportunity Sites”. This capacity is held in a pool that may be allocated to any other property per the allocation criteria set forth in this policy. Typical commercial development includes retail and commercial office projects. New development of such uses will require allocation from this pool or, if this pool is exhausted, trip allocation may be granted for new commercial development from the Other (Non-residential) Development Trip Pool.

New Industrial Development Square Footage Pool

TBD

Other (Non-residential) Development Trip Pool

This Policy also contains provision for other non-residential development beyond the specific amounts of residential and commercial capacity described above through a non-residential trip pool of ____ trips. The number of peak-hour PM trips generated by any proposed non-residential development will be evaluated and must be able to draw the required number of trips from this pool in order to be entitled. This pool provides capacity for a wide variety of uses, excluding residential, and is primarily intended to allow for new cultural, institutional and public uses (e.g. churches, community policing facilities) not otherwise addressed in the Policy. Commercial development beyond the scope described above may also make use of this trip pool.

AFFORDABLE HOUSING

TBD

IV. TRANSPORTATION POLICY AND STANDARDS

OVERVIEW

The City has an adopted Transportation Policy that establishes a city-wide Level of Service (LOS) standard of “D” for signalized intersections. Areas of the City with adopted Area Development Policies, as well as the Downtown, have unique, generally more permissive standards that vary from the city-wide standard in recognition of special circumstances or superseding City goals that make maintaining an LOS of D impractical.

Under the previous EDP, an LOS of “D” was also established as a long-term goal for the Evergreen Policy area. Particular land uses were incorporated into the previous EDP so that at full build-out all EDP intersections would reach this LOS standard. A key component of the land use plan was the development of a significant industrial job base on the Campus Industrial Opportunity Site to establish a reverse commute pattern within the Policy area. Providing a job base within the Policy area was projected to improve traffic conditions by decreasing the need for Policy area residents to commute out of the Policy area on heavily congested routes. Because residential development within the Policy area was implemented while the Campus Industrial site remained largely undeveloped, the LOS “D” standard was not met.

LEVEL OF SERVICE STANDARDS – POLICY AREA PROJECTS

In place of the City-wide LOS Standard, the Policy establishes a specific amount of capacity for new residential, commercial and other forms of development and corresponding transportation infrastructure improvements. Full build-out of this amount of development, including the Major Opportunity Sites and use of all pool capacity, is projected to result in the LOS conditions indicated in Table _____. As indicated, some intersections within the Policy Area will operate at an LOS of “E” or “F” following full implementation of this Policy.

As a result, additional analysis of traffic impacts is not anticipated to be necessary for development occurring under this Policy. However, all development projects within the *Policy* area will still be subject to traffic operational analysis.

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Intersection	LOS Allowed Under Policy
TBD	AM
	PM
TBD	AM
	PM
TBD	AM
	PM
•	
•	
•	

LEVEL OF SERVICE STANDARDS – PROJECTS OUTSIDE OF THE POLICY AREA

If the traffic analysis for a new development project located outside of the Evergreen Policy area determines that the project will generate traffic within the Policy area, the impact of that traffic will be evaluated according to the Citywide Transportation Policy and will need to include mitigation measures or other actions as required by the Citywide policy. The City's Transportation Policy, as notably revised in June of 2005, requires that new development not create a significant impact at a signalized intersection. Generally any development project that causes an intersection to drop below LOS "D" or add a significant amount of traffic to an intersection already operating at LOS "E" or "F" must include improvements to the affected intersection that would fully mitigate the project's impacts. In June of 2005, the City created a process through which the City can evaluate and determine that improvements to an intersection are not desirable in consideration of other City goals and designate the affected intersections as a "protected intersection". The Capitol corridor intersections are eligible for protected intersection status under the new policy.

TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES

All new development within Evergreen is required to incorporate transportation demand management (TDM) elements into facility design, to the extent possible, to reduce the demand for single-occupancy vehicles during peak commute periods.

Residential Measures:

Sample Residential Site Design Measures:

- *Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.*

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- *Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.*
- *Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas.*
- *Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities.*
- *Provide neighborhood-serving shops and services within or adjacent to residential project.*
- *Provide a satellite telecommute center within or near the development.*
- *Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurant).*

Sample Residential Operational Measures:

- *Provide transit information kiosks;*
- *Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);*
- *Provide or contract for on-site or nearby child care services;*
- *Offer transit use incentive programs to residents, such as distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all residents).*

Commercial/Industrial Measures:

Sample Commercial/Industrial Site Design Measures:

- *Incorporate physical improvements, such as sidewalk improvements, landscaping and bicycle parking that act as incentives for pedestrian and bicycle modes of travel.*
- *Provide secure and conveniently located bicycle parking and storage for employees and visitors;*
- *Provide bicycle and pedestrian connections from the site to the regional bikeway/pedestrian trail system.*
- *Place assigned car pool and van pool parking spaces at the most desirable on-site locations;*
- *Provide showers and lockers for employees walking or bicycling to work.*
- *Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurants).*

Sample Commercial/Industrial Operational Measures:

- *Provide an on-site TDM coordinator;*
- *Provide transit information kiosks;*
- *Make transportation available during the day and guaranteed ride home programs for emergency use by employees who commute on alternate transportation. (This service may be provided by access to company vehicles for*

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private errands during the workday and/or combined with contractual or pre-paid use of taxicabs, shuttles, or other privately provided transportation.);

- *Provide vans for van pools;*
- *Implementation of a carpool/vanpool program (e.g., carpool ridematching for employees, assistance with vanpool formation, provision of vanpool vehicles, and carsharing);*
- *Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);*
- *Provide or contract for on-site or nearby child care services;*
- *Offer transit use incentive programs to employees, such as on site distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all on-site employees);*
- *Implementation of parking cash out program for employees (non-driving employees receive transportation allowance equivalent to the value of subsidized parking);*
- *Encourage use of telecommuting and flexible work schedules;*
- *Require that deliveries on-site take place during non-peak travel periods.*

V. TRANSPORTATION IMPROVEMENTS

OVERVIEW

A key element of the *Evergreen Development Policy* is the construction of new transportation improvements. Some of these improvements are included as part of the proposed development project, being part of a set of improvements voluntarily proposed to be funded by the developers of the Opportunity Sites beyond the scope of typical development-funded transportation mitigation programs. The construction of these improvements is integral to the implementation of the Policy and their funding must occur concurrently with the development of the Opportunity Sites. The remainder of the transportation improvements identified within the Policy are classified as traffic mitigation and their construction is deemed necessary in order for the total amount of development included within the Policy to meet the City's adopted traffic standards for the Policy area. The mitigation improvements will be funded through a Traffic Impact Fee.

PROJECT TRANSPORTATION IMPROVEMENTS

These improvements are linked to the development of the four Opportunity Sites. Construction of these improvements must be fully funded at particular intervals identified within the Phasing Plan included within the Implementation section of this Policy. The specific improvements (Option #1) are:

- *US 101 Corridor Project:* This improvement is identified in the *US 101 Corridor Study* completed by the Valley Transportation Authority (VTA) in 2004. The improvement includes increased mainline and ramp capacity and the conversion of the full cloverleaf interchanges at Tully Road and Capitol Expressway to partial cloverleaf designs. In the northbound direction the design includes adding an HOV lane to the Tully on-ramp, adding a mixed-flow lane to the Capitol on-ramp, and providing two mixed-flow on-ramps from Yerba Buena (separating Yerba Buena from Capitol). In the southbound direction, the design includes an auxiliary lane from Tully Road to Capitol Expressway and a mainline lane from I-280 to Capitol.
- *Intersection/Traffic Signal Modifications:* Additional through and/or turn lanes and operational improvements are included at several intersections in Evergreen in order to provide additional capacity and reduce delay. In some cases additional right-of-way is required. The intersections include but are not limited to San Felipe/Yerba Buena, Capitol/Aborn, Capitol/Silver Creek, Capitol/Quimby, Silver Creek/Yerba Buena, King/Tully, Aborn/Ruby and Capitol/McLaughlin.

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- *White Road Improvements:* White Road is proposed to be widened and restriped to its full planned six-lane configuration from south of Ocala Avenue to Quimby Road; and from Stevens Lane to Aborn Road. The improvements include but are not limited to sidewalk, pavement, and a landscaped median island. Additional through and/or turn lanes will be added at the intersections with Ocala, Tully, Norwood, Quimby, Stevens, and Aborn.
- *New Traffic Signals/Modifications:* The City of San Jose determines the need for new traffic signals based on a system of “warrants,” which analyze whether a traffic signal at a particular location would reduce traffic delays, reduce accidents, or help pedestrians. This Policy includes installation of traffic signals at the highest priority locations based upon improvements for safety and efficiency and based on existing and projected future traffic volumes. Staff may conduct additional signal warrant studies in the future to confirm that these intersections are warranted prior to installation.
- *Capitol Expressway Improvements:* A goal of the City is to make Capitol Expressway a more inviting thoroughfare for transit and pedestrians. This involves installation of lighting, sidewalks, landscaped median and side landscaping. The light rail (LRT) project will construct improvements from Capitol Avenue to Quimby Road. The Policy funds continuation of these improvements from Quimby Road to US-101.
- *Intelligent Transportation Systems (ITS) Network:* Coordination of the City’s traffic signals along major corridors, (e.g. Tully Road) can lead to improved traffic flow. The ITS network places traffic cameras at key locations so that when the signals are connected together and the whole system is connected to the City’s central control station, the signals can be remotely synchronized for better traffic flow. The cameras can also detect incidents so that the signal timing can be adjusted accordingly.
- *Thompson Creek Trail:* The *Thompson Creek Trail Master Plan* includes the development of a 7-mile multi-use recreational trail along Thompson Creek and a portion of Lower Silver Creek in Evergreen. This trail is designed to be an attractive, safe and environmentally sensitive multi-use facility that enhances the quality of life for the community by providing access to the natural environment, linking neighborhoods near the trail, providing connections to important destinations, and enhancing alternative modes of transportation.
- *Bike Lanes:* The City has developed a bike master plan for the Evergreen area that designates ____ miles of bike lanes. The master plan is an expansion and fine-tuning of the Citywide adopted Bicycle Master Plan.

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- *Transit Enhancements:* Currently there are two VTA bus routes that operate wholly within Evergreen (there are several other routes that go in and out). Additional funding allows the community to create a unique transit system for the Evergreen area. This system could include shuttles, enhanced transit stops, and better multimodal connections.
- *Traffic Calming:* Traffic calming refers to a number of street improvements designed to reduce or eliminate traffic problems on local residential streets. These improvements include but are not limited to traffic circles, speed tables, bulbouts, or medians to reduce speeding; enhanced crosswalks to help pedestrian safety; and other measures. Traffic calming street improvements typically are installed following a neighborhood traffic study that identifies and quantifies problems and obtains full neighborhood support for changes. Specific traffic calming improvements will be developed as they become identified and needed, and any funds provided by the *Smart Growth Strategy* will only be used within Evergreen.
- *Nieman Pedestrian Over Crossing:* A pedestrian bridge over Capitol Expressway in the vicinity of Nieman Boulevard has been identified by the Evergreen Visioning Project Task Force. The bridge would allow pedestrians to cross the expressway without having to wait at a traffic signal and without having to cross in front of cars. It would also provide better trail connectivity in the area.
- *Street Trees:* Adding street trees provides a visual amenity and makes the pedestrian environment more comfortable, supporting several alternative modes of transportation. The City's goal is to install street trees at locations in need throughout Evergreen.
- *Curb Ramps:* These are the wheelchair ramps that typically are seen at street corners. The City of San Jose has completed an inventory of all intersections in Evergreen to identify where ramps are not present and need to be added.
- *Median Landscaping:* Median landscaping on wide streets can enhance the street environment for all users. The City has a database of locations in Evergreen where median landscaping is recommended.
- *TBD*

TRANSPORTATION MITIGATION MEASURE IMPROVEMENTS

These improvements address specific traffic impacts associated with full build-out of the Policy's development capacity and will directly benefit traffic flow within the Policy area. They will be constructed using fees collected from a Traffic Impact Fee applied to all new residential pool allocations. Mitigation measures for development of the four Opportunity Sites are included within the Project Transportation Improvements so that development of the Opportunity Sites is not subject to the Traffic Impact Fee and will not be contributing towards the following improvements. Details of the Traffic Impact Fee are discussed below in the Implementation Section.

Possible Mitigation Improvements

- *Intersection modifications*
- *Additional New Signals*
- *Traffic Calming*
- *ITS*
- *Ped/Bike/Transit*
- *TBD*
- *TBD*

VI. COMMUNITY AMENITIES

OVERVIEW

The second key element of the *Evergreen Development Policy* is the construction of the amenities identified by the community as necessary to improve the quality of life in the Policy area. These amenities include new parklands and cultural and recreational facilities of general benefit to the local community. Funding for these amenities is required prior to entitlement of new development on the four Opportunity Sites as outlined in the Phasing Plan included within the Implementation section of this Policy.

RELATIONSHIP TO PARKLANDS DEDICATION ORDINANCE / PARK IMPACT ORDINANCE

Development within the Policy area is subject to the provisions of the City's Parklands Dedication Ordinance (PDO) and Park Impact Ordinance (PIO). These ordinances (*are proposed to*) include special provisions exempting the four Opportunity Sites from the standard contribution requirements based upon the particular requirements for those sites to contribute toward parkland amenities as established within this Policy. Specific park sites are identified on the following amenity list and the mechanism for creating these new park areas is described in the Implementation section below.

All development within the Policy area not on the four Opportunity Sites will need to meet the standard parkland dedication requirements established within Parklands Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) as well as any other applicable City requirements. Implementation of these ordinances will be used to provide parklands in addition to the specific improvements identified on the Amenity List in this Policy.

AMENITIES LIST

The following amenities will be constructed through the implementation of this Policy:

TBD by the Task Force (See recommended Option #1 and Option #2)

VII. IMPLEMENTATION

ALLOCATION OF DEVELOPMENT CAPACITY

Allocation of the development capacity provided for through this Policy is determined according to the following criteria. Allocations are made at the time of initial Planning entitlement action (the first of either Planned Development Zoning, Development Permit, Vesting Tentative Map, Development Agreement or equivalent action) and remain in place unless all such entitlements expire.

Traffic impact analysis completed with the Project EIR includes all development in the following sections and no further traffic impact analyses is required except that all development projects within the *Policy* area remain subject to requirements for traffic operational analysis per the discretion of Director of Public Works.

Existing Allocations

Allocations and development rights existing at the time of adoption of this Policy remain in place and do not require any further consideration.

Properties with Existing Residential Use or Other Uses

Existing properties that have existing residential or non-residential uses will be allowed to apply their traffic generation equivalency to proposed developments provided the existing use is legally permitted and the proposed use is consistent with applicable City policies and ordinances without additional allocation under this Policy.

Opportunity Sites

The opportunity sites are allocated development capacity as described in the Land Use section above and according to the provisions in the following Phasing Plan. Additional allocation may not be made to the Opportunity Sites.

Residential, Commercial, and Other (Non-residential) Pool Allocation

Development capacity for new projects outside of the Opportunity Sites is allocated from the corresponding pools to properties based upon time of application for land use entitlements. Square footage, units or trips are removed from the appropriate pool at issuance of any Planning permit or zoning action and no longer available for allocation to other properties. If a permit or zoning expires or is replaced by a new entitlement, any displaced allocation is returned to the appropriate pool and becomes available for new projects. All properties receiving allocation should be consistent with all applicable General Plan policies, the EEHVS and other City requirements.

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Projects outside of EDP area

New projects outside of the *Policy* area, which may impact gateway intersections, will be subject to the City's Level of Service Policy 5-3.

Unforeseen future projects

Any development projects beyond the scope of the *Policy* and Project EIR will require an update to the *Policy* and additional environmental review. Impacts upon intersections outside of the *Policy* area will be subject to City Level of Service (LOS) standards.

FINANCING OF IMPROVEMENTS

Property developers will be required to provide funding for the transportation improvements and community amenities prior to the issuance of permits for new development. This funding will be provided by the developers of the Opportunity Sites through payments made according to the Phasing schedule outlined below and from other property developers through payment of a Traffic Impact Fee.

Opportunity Sites – Improvement Financing

The majority of the Transportation Improvements and all of the Amenities included within this Policy will be financed through fees collected from the developers of the Opportunity Sites prior to the issuance of entitlements for new development on those sites. As outlined in the Phasing Plan, the first payment is required prior to the first Planned Development Permit issuance for any of the Opportunity Sites. Successive phases require the funding of specific improvements and amenities prior to issuance of Building Permits for a specific share of the total, collective development potential for the Opportunity Sites. The City will calculate the cost of all transportation improvements and amenities associated with a particular phase once Building Permit applications are filed for units in that phase and the property owners will need to pay this cost prior to issuance of the Building Permits.

Property developers may elect to establish a Community Facilities District (CFD) as a financing mechanism, but funding for each phase must be provided in advance of entitlement per the Phasing schedule regardless of the timeline for a CFD.

Traffic Impact Fee

New residential development occurring pursuant to this Policy excepting the four Opportunity Sites will be subject to a Traffic Impact Fee. Non-residential development projects are not subject to the Traffic Impact Fee. The Traffic Impact Fee is based upon a fair-share contribution towards the cost of providing transportation improvements that directly mitigate the traffic impacts associated with new residential development.

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Because traffic routes vary based upon location within the Policy Area, the Policy Area is divided into two zones for implementation of the Traffic Impact Fee. The boundaries for Zone 1 are _____ and for Zone 2 are _____.

The Traffic Impact Fee is initially set at _____ for Zone 1 and _____ for Zone 2 based upon the total cost of the transportation mitigation improvements and the number of residential units included within the Policy. Residential development on the four Opportunity Sites is not subject to the Traffic Impact Fee. The Traffic Impact Fee only covers the contribution toward improvements that mitigate the impacts of the Residential Pool units and staff cost to administer the Traffic Impact Fee Program and management of the residential pool allocation. The Traffic Impact Fee will increase annually by 3.3% to match project inflation rates for construction costs.

Traffic Impact Fee Schedule		
Year	Fee Amount (\$)	
	Zone 1	Zone 2
2006	TBD	•
2007	TBD	•
2008	TBD	•
•		
•		
•		

DEVELOPMENT PHASING SCHEDULE

OPTION #1

Phase	Entitlements/ Building Permits Issued	Transportation/ Community Amenities For Opportunity Sites	Developer Obligation to Fund/Construct (Estimated Cost in 2005 \$)
I	1 st PD Permit Approval	Fund various Phase II Transportation & Community amenities components, including but not limited to, planning, property acquisition and design work.	\$10M
II	40% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • Rt. 101 Freeway Improvement Project • Various roadway/ intersection improvements • New traffic signal at various locations (partial) • Traffic Calming (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Yerba Buena/San Felipe Roads Improvements by the creek • Build-out Groesbeck Park • Lake Cunningham Regional Skate Park • Fowler Creek Park (Phase I Only) • Upper Silver Creek Trail • Evergreen Library (Land Only) <p>Fund various Phase III Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$100M
III	15% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • White Road Improvement • Capitol Expressway Improvements • New traffic signal at various locations (partial) • ITS Network (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Sports Facilities at August Boeger Jr. High • Evergreen Sports Complex on Legacy <p>Fund various Phase IV Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M
IV	15% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • New traffic signal at various locations (partial) • ITS Network (partial) • Transit Enhancement (partial) • Traffic Calming (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Sports Facilities on Berg • Neighborhood Park - Pleasant Hill • Neighborhood Park – Industrial Site • Lake Cunningham Park Improvements <p>Fund various Phase V Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M

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Phase	Entitlements/ Building Permits Issued	Transportation/ Community Amenities For Opportunity Sites	Developer Obligation to Fund/Construct (Estimated Cost in 2005 \$)
V	10% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> Thompson Creek Trail Traffic Calming (partial) ITS Network (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> Open Space & Trail Connections Adult Sports Complex on Arcadia <p>Fund various Phase VI Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M
VI	10% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> New and/or modification of traffic signal at various locations (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> Community/Youth Center, Gym and Pool on Arcadia (partial) <p>Fund various Phase VII Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M
VII	10% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> Transit Enhancement (partial) Nieman Pedestrian Over Crossing Bike Lanes for appropriate corridors Street Trees Curb Ramps Median Landscaping <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> Community/Youth Center, Gym and Pool on Arcadia (partial) Grants to Schools or Renovate Neighborhood Parks 	\$25M

Note: Funding must be secured prior to issuance of building permit for each phase
 Estimates are based on today's \$
 The estimate are generated based on limited project descriptions. It is staff's best effort absent any detailed engineering plans.
 Prior to issuance of building permit for each phase, funding amount will need to be updated to include the latest estimates and inflation.

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DEVELOPMENT PHASING SCHEDULE

OPTION #2

Phase	Entitlements/ Building Permits Issued	Transportation/ Community Amenities For Opportunity Sites	Developer Obligation to Fund/Construct (Estimated Cost in 2005 \$)
I	1 st PD Permit Approval	Fund various Phase II Transportation & Community amenities components, including but not limited to, planning, property acquisition and design work.	\$10M
II	40% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • Rt. 101 Freeway Improvement Project • Various roadway/ intersection improvements • New traffic signal at various locations (partial) • Traffic Calming (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Yerba Buena/San Felipe Roads Improvements by the creek • Lake Cunningham Regional Skate Park • Upper Silver Creek Trail • Evergreen Library (Land Only) <p>Fund various Phase III Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$100M
III	15% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • White Road Improvement • Capitol Expressway Improvements • New traffic signal at various locations (partial) • ITS Network (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Evergreen Sports Complex on Legacy • Sports Facilities on Berg <p>Fund various Phase IV Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M
IV	15% (Including XX units of affordable housing - TBD)	<p>Fund construction for the following:</p> <p><u>Transportation:</u></p> <ul style="list-style-type: none"> • New traffic signal at various locations (partial) • ITS Network (partial) • Transit Enhancement (partial) • Traffic Calming (partial) <p><u>Community Amenities:</u></p> <ul style="list-style-type: none"> • Open Space & Trail Connections • Neighborhood Park - Pleasant Hill • Neighborhood Park – Industrial Site • Adult Sports Complex on Arcadia <p>Fund various Phase V Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.</p>	\$25M

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Phase	Entitlements/ Building Permits Issued	Transportation/ Community Amenities For Opportunity Sites	Developer Obligation to Fund/Construct (Estimated Cost in 2005 \$)
V	10%	Fund construction for the following: <u>Transportation:</u> <ul style="list-style-type: none"> Thompson Creek Trail <u>Community Amenities:</u> <ul style="list-style-type: none"> Community/Youth Center, Gym on Arcadia (partial) Fund various Phase VI Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.	\$25M
VI	10%	Fund construction for the following: <u>Transportation:</u> <ul style="list-style-type: none"> New and/or modification of traffic signal at various locations (partial) ITS Network (partial) Bike Lanes for appropriate corridors Transit Enhancement (partial) <u>Community Amenities:</u> <ul style="list-style-type: none"> Community/Youth Center, Gym on Arcadia (partial) Fund various Phase VII Transportation & Community Amenities components, including but not limited to, planning, property acquisition and design work.	\$25M
VII	10%	Fund construction for the following: <u>Transportation:</u> <ul style="list-style-type: none"> Nieman Pedestrian Over Crossing Lake Cunningham Pedestrian Over Crossing Transit Enhancement (partial) <u>Community Amenities:</u> <ul style="list-style-type: none"> Fowler Creek Park Master Plan Phases II & III 	\$25M

Note: Funding must be secured prior to issuance of building permit for each phase
 Estimates are based on today's \$
 The estimate are generated based on limited project descriptions. It is staff's best effort absent any detailed engineering plans.
 Prior to issuance of building permit for each phase, funding amount will need to be updated to include the latest estimates and inflation.